**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH**
**AT HYDERABAD**

**(Special Original Jurisdiction)**

**WEDNESDAY, THE FIFTEENTH DAY OF DECEMBER**
**TWO THOUSAND AND FOUR**

**PRESENT**

**THE HON'BLE MR JUSTICE N.V. RAMANA**

**WRIT PETITION No.23300 of 2004**

Between:

1 Bolisetti Satyanaryana S/o.Tatayya
Pentakota, Payakaraopeta (M),
Visakhapatnam Dist.
2 Bolisetti Rani W/o.Venkata Prasad
Pentakota, Payakaraopeta (M),
Visakhapatnam Dist.

... PETITIONERS

AND

1 The Dist Collector
Visakhapatnam Dist.
2 The Revenue Divisional Officer
Narasipatnam, Visakhapatnam Dist.
3 The Mandal Revenue Officer
Payakaraopeta (M), Visakhapatnam Dist.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any writ, order or direction particularly a writ in the nature of Mandamus directing the respondents to issue Pattadar Pass Books and title deeds in respect of the extent of the land to the tune of Ac.2-00 and Ac.1-50 cents in Sy.No.101, Pentakota Village, Payakaraopeta Mandal, Visakhapatnam Dist in favour of the petitioners respectively forthwith.

Counsel for the Petitioner :Mr.B.M.Patro
Counsel for the Respondents : GP FOR REVENUE

The Court at the admission stage made the following :

ORDER:

The petitioners 1 and 2 seek direction to respondents to issue pattadar pass-books and title deeds in respect of land in an extent of Ac.2-00 and Ac.1-50 cents in Survey No.101 in Pentakota village, Payakaraopeta Mandal, Visakhapatnam, respectively.

The petitioners claiming themselves to be landless poor made applications to the respondents, pursuant to which they were allotted the said land and D-Form pattas were also granted. The petitioners state that they are in possession and enjoyment of the land in question. While so, the petitioners allege that the third respondent had issued letter dated
20-11-2004 stating that survey will be conducted and therefore, restrained the villagers from entering the land. The petitioners apprehend that the land will be allotted to other beneficiaries without giving any notice or opportunity to them. Hence, this writ petition.

Heard learned counsel for petitioners and learned Government Pleader for Revenue and at their request, the writ petition itself is taken up for hearing at the stage of admission.

The petitioners have produced copies of D-Form pattas granted in their favour on 30-06-1999 in the material papers filed along with writ petition. The petitioners claim to have made representations in the month of July/August, 2004, but the Mandal Revenue Officer has not responded in any manner. However, the Mandal Revenue Officer is said to have initiated proceedings to evict the petitioners without considering the request of the petitioners, but the representation submitted by

petitioners has not been filed in the material papers. In these circumstances, the third respondent - Mandal Revenue Officer is directed not to evict the petitioners from the land in question if the pattas granted in their favour have not been cancelled. In case the respondents have already conducted an enquiry and after following due process of law, cancelled the pattas in favour of petitioners, they are at liberty to proceed further in the matter in accordance with law.

The writ petition is accordingly disposed of at the stage of admission.

15-12-2004

bsc

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Dist Collector
Visakhapatnam Dist.
2 The Revenue Divisional Officer
Narasipatnam, Visakhapatnam Dist.
3 The Mandal Revenue Officer
Payakaraopeta (M), Visakhapatnam Dist.

4. 2CCs to Govt. Pleader for Revenue, High Court buildings, Hyderabad (OUT)

5. 2CD copies

*Form-NIC-OGS/WP{**MVK**}*